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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MEMRY CORPORATION,

No. C-04-03843 RMW

Plaintiff,

**AMENDED CLARIFICATION TO ORDER
GRANTING KENTUCKY OIL'S MOTION
TO CONTINUE HEARING ON SEVEN
MOTIONS FOR PARTIAL SUMMARY
JUDGMENT**

v.

[Re Docket No. 368]

KENTUCKY OIL TECHNOLOGY, N.V.,
PETER BESELINK, MEMORY METALS
HOLLAND, B.V.,

Defendants.

KENTUCKY OIL TECHNOLOGY, N.V.,

Counterclaimant,

v.

MEMRY CORPORATION and
SCHLUMBERGER TECHNOLOGY
CORPORATION,

Counterdefendants.

This order amends the Clarification to Order Granting Kentucky Oil's Motion to Continue Hearing on Seven Motions for Partial Summary Judgment posted on February 14, 2007. The previous

1 order contained a typographical error. Replies for the summary judgment motions are due on February
2 20, 2007, not March 20, 2007.

3 Defendant and counterclaimant Kentucky Oil Technology, N.V. ("KOT") previously asked this
4 court to continue by two weeks the March 2, 2007, hearing date on the seven motions for partial
5 summary judgment filed by plaintiff and counterdefendant Memry Corporation ("Memry") and
6 counterdefendant Schlumberger Technology Corporation ("STC"). The court granted KOT's motion,
7 but it would appear that KOT was unable to take advantage of the extended deadline for filing its
8 opposition.

9 Accordingly, the court clarifies its order as follows: STC and Memry's reply briefing shall be
10 filed by *Tuesday, February 20, 2007*. The order otherwise remains unchanged. The hearing on the
11 motions shall remain scheduled for Friday, March 23, 2007 at 9:00 a.m. and the Pre-Trial Conference
12 and Trial dates shall be as scheduled in this court's prior order.

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15 DATED: 2/16/07

Ronald M Whyte

16 RONALD M. WHYTE
17 United States District Judge

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1 **Notice of this document has been electronically sent to:**

2 **Counsel for Memry:**

3 Andrew C. Ryan ryan@cantorcolburn.com
4 William J. Cass wcass@cantorcolburn.com
5 Thomas Mango tmango@cantorcolburn.com
6 Benjamin J. Holl benjamin.holl@dbr.com
7 Charles A. Reid, III charles.reid@dbr.com

8 **Counsel for STC:**

9 Nancy J. Geenen ngeenen@foleylaw.com
10 David B. Moyer dmoyer@foley.com
11 Kimberly K. Dodd kdodd@foley.com

12 **Counsel for KOT:**

13 Michael H. Bierman mbierman@luce.com
14 Nicola A. Pisano npisano@luce.com
15 Jeffrey David Wexler jwexler@luce.com

16 Counsel are responsible for distributing copies of this document to co-counsel that have not registered
17 for e-filing under the court's CM/ECF program.

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Dated: 2/16/07

/s/ MAG
Chambers of Judge Whyte